



Energy Facility Permitting
85 7th Place East, Suite 500
St. Paul, Minnesota 55101-2198
651.296.4026 FAX 651.297.1959 TTY 651.297.3067

**BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION
COMMENTS AND RECOMMENDATIONS OF THE
MINNESOTA DEPARTMENT OF COMMERCE
ENERGY FACILITY PERMITTING STAFF
DOCKET No's PL9/PPL-07-360 and PL9/PPL-07-361**

Meeting Date: July 12, 2007.....Agenda Item # _____

Company: Enbridge Inc./Enbridge Pipelines Inc.

Docket No's. PL9/PPL-07-360 and PL9/PPL-07-361

In the Matter of the Application of Enbridge Pipelines (Southern Lights) L.L.C.
for a Route permit-LSr Pipeline;

In the Matter of the Application of Enbridge Energy for a Route Permit -
Alberta Clipper and Southern Lights Diluent Projects.

Issue(s): Should the Commission accept the applications and refer the filing to the Office
of Administrative Hearings to conduct the proceedings as a contested case?
Should the Commission take any additional actions at this time?

DOC Staff: Larry B. Hartman.....651-296-5089

Relevant Documents. (in Commission Packet)

1. Enbridge Pipelines (Southern Lights) L.L.C., LSr Project Application, dated April 24, 2007.
2. Enbridge Energy, Limited Partnership and Enbridge Pipelines (Southern Lights) L.L.C., Alberta Clipper/Southern Lights Diluent Projects.....dated June 21, 2007

-End of Relevant Documents-

The enclosed materials are work papers of the Department of Commerce (DOC) Energy Facility Permitting Staff (EFP). They are intended for use by the Public Utilities Commission and are based on information already in the record unless otherwise noted. This document can be made available in alternative formats (i.e., large print or audio tape by calling (651) 201-2202 (Voice) or 1-800-627-3529 (TTY relay service)).

Documents Attached

- A. Enbridge Expansion Projects Map
- B. Pipeline Routing Permit Schematic

-End of Attached Documents-

Note: Relevant documents and additional information can be found on eDockets or the PUC Facilities Permitting website.

LSr Project	<u>eDockets</u>	<u>PUC website</u>
	07-360	http://energyfacilities.puc.state.mn.us/Docket.html?Id=19133
Alberta Clipper/ Southern Lights		
Diluent Project	<u>eDockets</u>	<u>PUC website</u>
	07-361	http://energyfacilities.puc.state.mn.us/Docket.html?Id=19203

Statement of the Issues

Should the Public Utilities Commission (PUC or Commission) accept, conditionally accept, or reject the two separate applications for pipeline routing permits filed by Enbridge Pipelines (Southern Lights) L.L.C. and Enbridge Energy Limited Partnership for the Minnesota portion of its three high pressure underground liquid petroleum pipelines (to transport light and heavy crude petroleum and condensate) and associated aboveground facilities (e.g., pump stations, meter stations) in, and immediately adjacent to Enbridge Pipelines existing pipeline right-of-way in the Minnesota counties of: Kittson, Marshall, Pennington, Red Lake, Polk, Clearwater, Beltrami, Hubbard, Cass, Itasca, Aitkin, St. Louis and Carlton, between Cromer, Manitoba, and Superior, Wisconsin?

If the applications are accepted, should the Commission authorize the Department to appoint a public advisor and an advisory task force?

Should the Commission refer the docket to the Office of Administrative Hearing?

Should the Commission vary the rule requirements for a public meeting and hearing in Aitkin County?

Should the Commission take any additional actions at this time?

Introduction and Background

Enbridge Energy Company, Inc., formerly Lakehead Pipeline, (“Enbridge” or “the applicant”) has filed two Certificate of Need Applications and two applications for Route Permits for three separate, but related, pipeline projects. They are identified as the LSr (PUC Docket # PL9/PPL-07-360), and the Alberta Clipper and Southern Lights (PUC Docket #PL9/PPL-07-361) projects. Enbridge seeks to construct the pipelines parallel to its existing pipelines, in and adjacent to its existing multiple line pipeline rights-of-way, which already contain four pipelines. The proposed pipelines will connect to Enbridge’s existing crude oil pipeline system shown on the attached map. See Attachment A in the Commissioner’s packet.

The two applications for pipeline route permits have been filed pursuant to Minnesota Statutes 216G.02 and the Pipeline Route Selection procedures in Minnesota Rules 4415.0045 to 4415.0100.

Background Terminology

In order to better understand some of the terms used in this briefing paper, a review of definitions is provided from the following subparts of Minnesota Rule 4415.0010:

Subp. 8. **Barrel.** “Barrel” has defined in part 7853.0100, subpart 5 means that quantity of liquid that is equal to 42 gallons.

Subp. 12. **Construction.** “Construction” means any clearing of land, excavation, or other action for the purpose of constructing new pipeline that would adversely affect the natural environment of a pipeline route. Construction does not include changes needed for temporary use of a route for purposes of maintenance, repair, or replacement of an existing pipeline and associated facilities within existing rights-of-way, or for the minor relocation of less than three-quarters of a mile of an existing pipeline or for securing survey or geological data, including necessary borings to ascertain soil conditions.

Subp. 32. **Route.** “Route” means the proposed location of a pipeline between two end points. A route may have a variable width from the minimum required for the pipeline right-of-way up to 1.25 miles.

Subp. 33. **Route Segment.** “Route segment” means a portion of a route.

Subp. 31. **Right-of-way.** “Right-of-way” means the interest in real property used or proposed to be used within a route to accommodate a pipeline and associated facilities.

Project Overview

Enbridge is seeking authorization to build three different petroleum pipelines as described below and as shown on accompanying map. See Attachment A in the Commissioner’s packet.

LSr Project (Docket No. PL9/PPL-07-360)

The LSr Project is the subject of the first application for both a Certificate of Need (Docket No. PL9/CN-07-464) and a Pipeline Routing Permit (Docket No. PL9/PPL-07-360) and will consist of approximately 108 miles of 20-inch outside diameter pipeline within the State of Minnesota which will deliver crude oil from Enbridge’s existing facilities to its tank farm in Clearbrook, Minnesota. This pipeline project will cross five counties in Minnesota: Kittson, Marshall, Pennington, Red Lake, Polk, and Clearwater. See Attachment A in the Commissioner’s packet. The LSr project will be capable of transporting approximately 186,000 barrels per day.

Alberta Clipper/Southern Lights Diluent Projects (Docket No. PL9/PPL-07-361)

The Alberta Clipper and the Southern Lights Diluent Projects are the subject of the second application for a Certificate of Need (Docket No. PL9/CN-07-465) and a Pipeline Routing Permit (Docket No. PL9/PPL-07-361).

The Alberta Clipper is a 1,000-mile long, 36-inch outside diameter crude oil pipeline. It will start in Hardisty, Alberta and end at an Enbridge terminal facility in Superior, Wisconsin. This line will transport approximately 450,000 barrels of heavy crude oil from the Canadian oil sands to refineries in the Midwest. The Minnesota portion of the project is approximately 285 miles.

The Southern Lights pipeline project will transport liquids (condensate or diluent) north from refineries in Chicago area to the oil sands of Alberta, Canada. The oil extracted in Alberta has a tar-like consistency and must be diluted before it can be moved through a pipeline. One of the best substances for that purpose is a light hydrocarbon byproduct of the refining process. The Southern Lights Project will consist of approximately 188 miles of new 20-inch outside diameter pipeline in Minnesota. When completed, this new pipeline will begin in the Chicago area and

end at the Enbridge terminal facility near Clearbrook, Minnesota. At Clearbrook, Enbridge will reverse the flow on one of its existing pipelines to continue transporting the diluent north to a terminal near Edmonton, Alberta, Canada.

Enbridge plans to construct the Alberta Clipper Project in conjunction with the Southern Lights Diluent Project, so the second route permit application covers both the Alberta Clipper and Southern Lights diluent projects.

The Alberta Clipper Project will cross 13 counties in Minnesota. Going from west to east they are: Kittson, Marshall, Pennington, Red Lake, Polk, Clearwater, Beltrami, Hubbard, Cass, Itasca, Aitkin, St. Louis and Carlton. See accompanying map (Attachment A) in the Commissioner's packet.

The Southern Lights diluent project requiring new pipeline constructions in Minnesota will cross the counties of Clearwater, Beltrami, Hubbard, Cass, Itasca, Aitkin, St. Louis and Carlton.

Right-Of-Way Requirements

These pipelines will be placed along side of existing easements/right-of-way in most areas. Collectively, these projects will require approximately 75 feet of additional permanent right-of-way space next to Enbridge's four existing pipelines.

In addition to new permanent right-of-way, additional temporary work space is required to store excavated soil, store pipe sections as they are added to the line, move equipment and vehicles and to provide a safe work area to install the pipelines. Temporary work space requirements will vary in width, but are expected to be between 90 and 140 feet.

The cost of constructing the three Enbridge proposed pipeline is approximately 1.4 billion dollars.

Enbridge has scheduled the LSr project for an in-service date of December 31, 2008. The Alberta Clipper and Southern Lights Diluent Projects are scheduled for an in-service date of July 1, 2010.

Regulatory Process and Procedures

Minn. Stat. Chapter 216G.02 requires a pipeline routing permit from the PUC to construct certain intrastate natural gas and petroleum pipelines in Minnesota. The statute was passed in 1987. In 1989, the EQB adopted rules implementing the pipeline routing requirements (Minn. Rules Chapter 4415). Approximately 30 pipeline routing permits have been issued over the years.

2005 Minnesota Laws transferred EQB jurisdiction over the permitting of pipelines to the PUC, which includes pipelines with a diameter of six inches or more that are designed to transport hazardous liquids like crude petroleum and those that are designed to carry natural gas and be operated at a pressure of more than 275 pounds per square inch.

For these pipeline projects (LSr, Alberta Clipper and Southern Lights) Enbridge is seeking review under the full pipeline route selection procedures which is approximately a nine month review process. The requirements of this process are in Minnesota Rules 4415.0045 through 4415.1000.

Attachment B of this briefing paper provides a schematic of the requirements associated with this review process (notice of application acceptance, public information meetings, route proposals, and comparative analysis of alternative routes and public hearings) that may be useful to review, but are secondary to application acceptance.

The following provides a review of several items more relevant to Commission consideration of application acceptance.

1. *Public Advisor (Minnesota Rule 4415.0065)*

Upon acceptance of an application for a pipeline routing permit, the Commission shall designate a staff person to act as the public advisor on the project (Minnesota Rule 4415.0065). The public advisor shall be available to any person to advise that person how to effectively participate in route selection procedures. The public advisor is not authorized to give legal advice or advice that may affect the legal rights of the person being advised or to act as an advocate.

If it wishes, the Commission can authorize the Department to name a member from the EFP staff, which has been done with other large energy facilities before the PUC.

2. *Citizen Advisory Committee (Minnesota Rule 4415.0060)and other public involvement options*

The PUC **may** establish citizen advisory committees to aid and advise the PUC in evaluating alternative route and route segments for pipelines (Minnesota Rule 4415.0055). The PUC can charge the advisory committee with identifying additional routes or impacts associated with route proposals. The PUC can provide guidance to the advisory committee in the form of a charge to the committee and through specific requests.

3. *Pipeline Route Proposals*

PUC review of the permit application under pipeline route selection process allows any other route or route segments proposed and approved of by the PUC to be considered at the formal public hearing. Minnesota Rule 4415.0075 provides that no route shall be considered at the public hearing unless accepted by the PUC before notice of the hearing.

Route proposals may be made by interested persons, the PUC, other state agencies, EFP staff, citizen advisory committee, if appointed. All route proposals must be made no later than 70 days after acceptance of an application.

Any person may also propose a route or route segment if it is made on an appropriate map or aerial photo, contains the data and analysis required in parts 4415.0140, subpart 3, and in 4415.0145, unless the information is substantially the same as provided by the applicant, and must be presented to the PUC within 70 days of application acceptance.

If a route proposal is submitted to the PUC has ten days to determine if the proposal contains the necessary information. If it does, the proposal may be forwarded to the PUC for a determination of acceptance at the hearing. If the PUC determines that the proposal does not contain the necessary information, the PUC shall inform the proposer in writing of what additional information is required. The proposer must submit the additional information within ten days to the PUC. The PUC shall determine within five working days whether the amended proposal contains the required information. If the PUC determines that the proposal does not contain the required information, the route proposer may appeal to the PUC at its next regular meeting for consideration of acceptance. If the proposal contains the required information, the PUC must consider acceptance of the route proposal for public hearing.

The Commission has delegated the administrative review of route proposals to the Department; however, this does not affect the Commission's ultimate authority to approve or disapprove of consideration of any route proposal. All compliant proposals are forwarded to the Commission for consideration of acceptance and, when appropriate, referral to a contested case proceeding administered by the Office of Administrative Hearing.

The Enbridge pipeline dockets must be referred to the Office of Administrative Hearings (OAH) for conduct of the Minnesota Rules Chapter 1405 contested case hearing. However, since the contested case hearings must come after the PUC approves of the route and route segments to be considered at the contested hearings, the dates for hearing cannot be set until the PUC approves of routes alternatives and refers them to the OAH. The PUC can refer the docket to the OAH for hearing at this time, with the understanding that the Department will work with OAH to establish a schedule once the route proposal and route acceptance phases are completed.

4. *Analysis of Alternative Routes*

A comparative environmental analysis of all the pipeline routes accepted for consideration at public hearings shall be prepared by the EFP staff or by the applicant and reviewed by the EFP staff. This comparative environmental analysis must be submitted as prefiled testimony required by Minnesota Rule 1405.1900. This document would provide an analysis of the features crossed by each proposed route or route segment.

5. *PUC Approval of Project Budget*

Minnesota Rules 4415.0210 require an application fee to cover actual costs necessarily and reasonably incurred in processing an application for a pipeline routing permit, permit compliance activities, administrative overhead and legal expenses.

The rules require that PUC budget be reviewed with the applicant, which has been done, and be approved by the PUC. In this instance, EFP staff is requesting a budget of up to \$300,000 for the three Enbridge Pipeline projects. This number should be sufficient to cover all actual costs associated with PUC review of this project. The applicant will be provided with an accounting of all expenditures and may present objections to the PUC. Any unspent funds will be returned to the applicant.

6. *Minnesota Department of Agriculture Involvement*

With the transfer of permitting authority from the EQB to PUC, other legislative changes were made in the permitting of both electric energy facilities and pipelines. Chapter 97 at Section 10. Subd 3b. amended-Minnesota Statutes 2004, section 116C.61 Subdivision 3-to include language that requires an applicant for a permit for a transmission line, power plant and pipeline to address agricultural concerns:

Minnesota Statute Section 216E, Subd. 3.(b) An applicant for a permit under this section or under chapter 216G shall notify the commissioner of agriculture if the proposed project will impact cultivated agricultural land, as that term is defined in section 216G.01, subdivision 4. The commissioner may participate and advise the commission as to whether to grant a permit for the project and the best options for mitigating adverse impacts to agricultural lands if the permit is granted. The Department of Agriculture shall be the lead agency on the development of any agricultural mitigation plan required for the project.

EFP staff, the applicant and the Minnesota Department of Agriculture will coordinate actions on this requirement as we move through the administrative review process. A Draft Agricultural Mitigation Plan (AMP) will be available as a separate document for review by interested persons and is included in the Environmental Assessment Supplement to the Pipeline Routing Permit Applications filed in these proceedings. The Draft AMP will be a working document and subject to change based on review and comment by the public and what actions will best mitigate impacts to agricultural lands. A final AMP will be included as one of the conditions in a proposed pipeline routing permit.

7. *State Environmental Review Requirements*

In 1989 the EQB approved the pipeline routing rules as a substitute form of environmental review (Minnesota Rules 4410.3600). Therefore, the review process established for pipelines in Chapter 4415 including the Environmental Assessment Supplement to the pipeline routing permit application fulfills the intent and requirements of the Minnesota Environmental Policy Act and parts 4410.0200 to 4410.6500. Consequently, a separate environmental review document is not required for pipeline projects in Minnesota. In addition, a comparative environmental analysis is required if alternative routes are authorized by the PUC for consideration at public hearing.

8. *Federal Permits and Environmental Review Requirements*

Enbridge must also obtain permits from several federal agencies for the three pipeline projects. These permits include a Presidential Border Crossing Permit from the United States Department of State; a Section 10 and Section 404 permit from the United States Army Corps of Engineers; Section 7 Consultation (Federal endangered species) from the United States Fish and Wildlife Service; environmental review for a crossing of the Chippewa National Forest; and a Stormwater Discharge Permit on Native American Lands, Hydrostatic Testwater Discharge on Native American Reservation Lands and 401 Water Quality Certificate for Areas within Native American Reservation Lands from the United States Environmental Protection Agency.

The federal agencies will attempt to coordinate environmental review at the federal level and environmental review requirements will vary from agency to agency. Because federal process requires scoping to determine how the projects might be reviewed, the State Department, through the Corps of Engineers, will use the PUC public information meetings as a basis for its scoping decisions.

DOC EFP staff will work with the federal agencies to coordinate actions on federal environmental review activities and requirements to consolidate public meetings thereby reducing confusion and increasing efficiency.

EFP Staff Analysis and Comments

Staff Review for Completeness

EFP Staff has completed its review of the Enbridge applications for completeness with the applicable rules [Minn. Rules 4415.0115 to 4415.0170 (Contents of Application)]. Enbridge's applications for the LSr and Alberta Clipper and Southern Lights Diluent Projects provide the required information, including information on the environmental impact of the project and a separate Environmental Assessment Supplement to the Pipeline Routing Permit Applications. EFP staff has concluded the applications are complete and that the Commission should accept the applications.

Acceptance of the application or conditional acceptance by the Commission allows the Department of Commerce EFP Staff and the applicant to initiate the actions required by Minn. Rule 4415.0045 through 4415.0095. These actions include application distribution, publishing notice of the information meetings in each county, providing opportunities to make other route or route segment proposals (see discussion on pages 6 & 7), analysis of alternative routes, and public hearings.

Enbridge has stated to the Department that it will comply with requests for additional information from the Commission and the Department.

Advisory Committee/Task Force

In analyzing the merits of establishing an Advisory Committee for the project, Department staff considered several project characteristics: size (length), complexity, known or anticipated controversy, sensitive features and existing rights-of-way suitable for right-of-way sharing or paralleling.

Project Size. While the scale of the project is large (285 miles), it is proposed to be built within or adjacent to the applicant's existing pipeline easements. The project's broad geographic area covers 13 counties and a range of northern Minnesota landscapes from almost exclusively agricultural land on the west side to forest, wetland and bog elsewhere. The proposed route also crosses state, federal and tribal lands, including those in the Chippewa National Forest and Leach Lake and Fond du Lac Reservations. Each of these government entities has different interests and concerns, related to both landscape and jurisdiction. Direct contact may be a more effective and productive way to capture these interests and concerns.

Complexity. The project is relatively complicated because it involves the construction of three separate pipelines (LSr from the North Dakota border to Clearbrook, MN and the Alberta Clipper and Southern Lights Diluent Projects) within a two year period, and possibly staggered construction, which means that one project will be built before the second one in a given area may take place. From Clearbrook to the Wisconsin border many of the lands crossed are managed by the Minnesota Department of Natural Resources, the Chippewa National Forest, Leach Lake and Fond du Lac). In addition to this, significant federal review of the proposed pipeline projects is also required and the DOC EFP staff will work with these agencies to coordinate public information meetings and environmental review activities.

Known/Anticipated Controversy. At this time staff is not aware of any controversy associated with the project. However, this does not preclude controversy from developing over the course of the project. The proposed pipelines are proposed to be located in or adjacent to Enbridge's existing pipeline right-of-way. This right-of-way already contains four existing pipelines, with the first being installed in the 1950's. Major pipeline expansion occurred in this right-of-way in the 1980's and 1990's with some limited constructed in 2001.

Sensitive Resources. Sensitive features may be affected by the project; however, these features are regulated by federal and state agencies. Those within state, federal and tribal lands are governed by requirements of those entities, the specifics of which can best be learned through one-on-one contact.

Existing Right-of-Way. In this instance Enbridge will attempt to use existing right-of-way where possible, although new additional right-of-way will be acquired. This existing right-of-way has been established for some time now and provides a clear location alternative for the proposed facilities. At the same time, consideration of this alternative does not preclude the examination of new route or route segments from consideration in the PUC review process.

Based on the analysis above, DOC EFP staff believes that an advisory committee/task force is not the most effective mechanism for obtaining input from the many different perspectives that may be a part of this project. DOC EFP staff believes it is more appropriate and more effective to work directly with state, federal and tribal entities to identify their concerns or interests with respect to the proposed pipeline projects.

In addition, staff believes that direct outreach and assistance to interested citizens, community groups, local units of governments (township, municipal and county) and regional governments in making additional route or route segment proposals and addressing specific issues can be more effective than establishing an advisory committee.

DOC EFP staff will proactively identify and implement an outreach strategy to facilitate input on alternative routes and impacts associated with route proposals. As indicated elsewhere project information will be available on eDockets and the PUC website.

Enbridge has also developed its own internal communication plan for the proposed pipeline projects, with emphasis on informing people of the project and how to participate in the PUC permitting process. Information about the LSr and Alberta Clipper projects is available on the Enbridge web site at: <http://www.enbridge-expansion.com/expansion/>

Request for Variance

DOC EFP staff is asking the Commission for a variance from the requirement of Minn. R. 4415.0070 Subpart 1. This requirement directs the PUC to hold one public information meeting in each county crossed by the applicant's preferred pipeline route.

In this instance DOC EFP staff is requesting a variance from this requirement for Aitkin County only. This requested for a variance is based on the fact that only about 1.5 miles of the Alberta Clipper and Southern Lights Diluent Project cross Aitkin County, plus all of the land crossed by the projects in Aitkin County is public land owned by the Minnesota Department of Natural Resources. Highway 2 and the Burlington Northern Santa Fe Railroad rights-of-way are the only other features present in this area. The general area is not inhabited. No private landowners are affected by this variance request. DOC EFP staff has discussed this variance request with Matt Langan, DNR staff and they have no objection to the variance request.

The Commission rules at part 7829.3200 allow the Commission to grant a variance to its rules when it determines that the following requirements are met:

- A. enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule;
- B. granting the variance would not adversely affect the public interest; and
- C. granting the variance would not conflict with standards imposed by law.

DOC EFP staff believes that this request satisfies the requirements of Minn. R. part 4415.0700 Subp 1. Holding a meeting in Aitkin County would require additional applicant and state agency staff resources with no benefit to the public. Granting the variance does not adversely affect the public interest and would not be in any conflict with standards imposed by law.

DOC EFP staff does not believe any Commission conditions need to be imposed as a result of granting the variance and believes that the variance should be effective for the duration of this project.

Commission Decision Options

LSr Project (Docket No. PL9/PPL-07-360)

A. Application Acceptance

1. Accept the application of Enbridge Pipelines (Southern Lights) L.L.C. for a pipeline routing permit under the full permitting process for the LSr proposed 108-mile-20-inch outside diameter within the State of Minnesota which will deliver crude oil from Enbridge's existing facilities to its tank farm in Clearbrook, Minnesota as complete and authorize the DOC EFP Staff to initiate the full review process under Minnesota Rules Chapter 4415.
2. Reject the application of Enbridge Energy for the LSr project as incomplete and issue an order indicating the specific deficiencies to be remedied before the Application can be accepted.
3. Find the Application complete upon the submission of supplementary information.
4. Make another decision deemed more appropriate.

B. Public Advisor

1. Authorize the DOC EFP staff to name a public advisor in this proceeding.
2. Appoint a Commission staff person as public advisor.
3. Make another decision deemed more appropriate.

C. Advisory Committee/Task Force

1. Authorize DOC EFP staff to establish an advisory task force, and develop a proposed structure and charge for the task force.
2. Take no action on an advisory committee.
3. Determine that an advisory committee is not necessary.
4. Make another decision deemed more appropriate.

D. Public Hearing

1. Refer the docket to the OAH for contested case hearing under Minnesota Rules Chapter 1405.
2. Make another decision deemed more appropriate.

E. Approval of Project Budget

1. Approve of the DOC EFP staff budget.
2. Make another decision deemed more appropriate

Alberta Clipper/Southern Lights Diluent (Docket No. PL9/PPL-07-361)

A. Application Acceptance

1. Accept the application of Enbridge Energy Limited Partnership and Enbridge Pipelines Southern Lights) L.L.C. for a pipeline routing permit under the full permitting process for the proposed 285-mile, 36-inch outside diameter and the 188-mile-20-inch outside diameter Southern Lights Diluent petroleum pipeline projects within the State of Minnesota as complete and authorize the DOC EFP Staff to initiate the full review process under Minnesota Rules Chapter 4415.
2. Reject the application of Enbridge Energy for the Alberta Clipper/Southern Lights Diluent Projects as incomplete and issue an order indicating the specific deficiencies to be remedied before the Application can be accepted.
3. Find the Application complete upon the submission of supplementary information.
4. Make another decision deemed more appropriate.

B. Public Advisor

1. Authorize the DOC EFP staff to name a public advisor in this proceeding.
2. Appoint a Commission staff person as public advisor.
3. Make another decision deemed more appropriate.

C. Advisory Committee/Task Force

1. Authorize DOC EFP staff to establish an advisory task force, and develop a proposed structure and charge for the task force.
2. Take no action on an advisory committee.
3. Determine that an advisory committee is not necessary.
4. Make another decision deemed more appropriate.

D. Public Hearing

1. Refer the docket to the OAH for contested case hearing under Minnesota Rules Chapter 1405.
2. Make another decision deemed more appropriate.

E. Approval of Project Budget

1. Approve of the DOC EFP staff budget.
2. Make another decision deemed more appropriate

F. Variance Request

1. Vary Minn. Rule 4415.0070 Subpart 1 to eliminate the requirement to hold a public information meeting/hearing in Aitkin County.
2. Make another decision deemed more appropriate

EFP Staff Recommendation

LSr Project (Docket No. PL9/PPL-07-360)

Staff recommends selection of options A-1, B-1, C-3, D-1, and E-1 .for LSr Project (Docket No. PL9/PPL-07-360).

Alberta Clipper/Southern Lights Diluent (Docket No. PL9/PPL-07-361)

Staff recommends selection of option s A-1, B-1, C-3, D-1, E-1 and F-1.for the Alberta Clipper/Southern Lights Diluent (Docket No. PL9/PPL-07-361) projects.